

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
)
v.)
)
STEVEN ANDREW WHITT)
) COLLIER/CARTER

REPORT AND RECOMMENDATION

A December 2, 2014, letter from S.M, Kuta, Warden of the Federal Bureau of Prisons, Metropolitan Correctional Center in Chicago, Illinois and both a Forensic Report and a Trial Competency Report of defendant were received by the undersigned on December 17, 2014. It is the opinion of the examiner that defendant “appears to maintain a fundamentally accurate factual and rational understanding of the court proceedings and appears to possess the capacity to engage in cooperative interaction with his attorney at the present time...” and “there was little evidence to suggest Mr. Whitt was unable to understand the nature and quality, or wrongfulness of his alleged behavior at the time of the instant offense.” (Doc. 19 at 10, 19).

A Notice of Waiver of Competency Hearing was filed on January 13, 2015. The Court therefore RECOMMENDS on the basis of the waiver and the Reports that defendant be found competent to stand trial.¹

s /William B. Mitchell Carter

UNITED STATES MAGISTRATE JUDGE

¹Any objections to this Report and Recommendation must be served and filed within fourteen (14) days after service of a copy of this recommended disposition on the objecting party. Such objections must conform to the requirements of Rule 59(b)(2) of the Federal Rules of Criminal Procedure. Failure to file objections within the time specified waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 88 L.Ed.2d 435, 106 S.Ct. 466 (1985). The district court need not provide *de novo* review where objections to this report and recommendation are frivolous, conclusive or general. *Mira v. Marshall*, 806 F.2d 636 (6th Cir. 1986). Only specific objections are reserved for appellate review. *Smith v. Detroit Federation of Teachers*, 829 F.2d 1370 (6th Cir. 1987).